

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

PETER MOREY, D.V.M.,

Plaintiff,

vs.

Civil Action No. 04-CV-10924-NMG

HEALTHY PET CORPORATION OF  
MASSACHUSETTS AND HEALTHY  
PET CORPORATION,

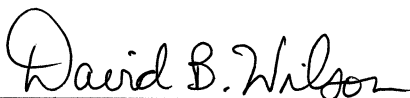
Defendants.

DEFENDANTS' RULE 16.1(D)(3) CERTIFICATION

Pursuant to the provisions of Local Rule 16.1(D)(3), defendants Healthy Pet Corporation of Massachusetts and Healthy Pet Corporation and their counsel hereby certify that they have conferred:

- (a) with a view to establishing a budget for the cost of conducting the full course and various alternative courses of the litigation; and
- (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

ROBINSON & COLE LLP



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HEALTHY PET CORPORATION OF  
MASSACHUSETTS and HEALTHY  
PET CORPORATION



by: Cheryl Somick

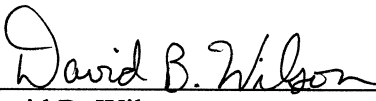
DATED: December 13, 2004

CERTIFICATE OF SERVICE

I hereby certify that on December 16, 2004, I caused to be served a true and correct copy of the foregoing addressed to:

Frank C. Muggia, Esq. *Via Fax 716-667-9711*  
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David B. Wilson